

P. 72 advisory committee's note).

Based on his review of the record, the Magistrate Judge has recommended that the action be *dismissed without prejudice and without requiring Respondents to file a return*. The Magistrate Judge advised Petitioner of his right to file objections to the Report and the possible consequences if he failed to do so. Petitioner has filed no objections and the time for doing so has expired.¹

After reviewing the Petition, the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is

ORDERED that this action is *dismissed without prejudice and without requiring Respondents to file a return*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
December 9, 2005

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¹Petitioner's copy of the Report and Recommendation sent to the address given by Petitioner was returned by the U. S. Postal Service stamped "ATTEMPTED NOT KNOWN."